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| FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 01-2003) | | ATTORNEY'S DOCKET NUMBER: 100338.54030US |
| TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371 | | U.S. APPLICATION NO. (if known, see 37 CFR 1.5) |
| INTERNATIONAL APPLICATION NO. PCT/US03/24700 | | INTERNATIONAL FILING DATE August 8, 2003 |
| PRIORITY DATE CLAIMED NONE | | |
| TITLE OF INVENTION Modified-Release Tablet of Bupropion Hydrochloride | | |
| APPLICANT(S) FOR DO/EO/US Oberegger, Werner; Eradiri, Okponanabofa; Zhou, Fang; MAES, Paul | | |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information: | | |
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371 3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US) 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). <ol style="list-style-type: none"> a. <input type="checkbox"/> is attached herewith. b. <input type="checkbox"/> has been previously submitted under 35 USC 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the <u>inventor(s)</u> (35 U.S.C. 371(c)(4)) 10. <input type="checkbox"/> An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). | | |
| Item 11. to 20. below concern other document(s) or information included: | | |
| <ol style="list-style-type: none"> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published international application under 35 USC 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 USC 154(d)(4) 20. <input type="checkbox"/> Other items or information: <ol style="list-style-type: none"> a. b. c. | | |

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| U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/507525 | INTERNATIONAL APPLICATION NO. PCT/US03/24700 | ATTORNEY'S DOCKET NUMBER 100338.54030WO | |
| 21. <input checked="" type="checkbox"/> The following fees are submitted: | | CALCULATIONS PTO USE ONLY | |
| Basic National Fee (37 CFR 1.492(a)(1)-(5)): Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO | | \$ 1,080.00 | |
| International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO | | \$ 920.00 | |
| International preliminary examination fee (37 CFR § 1.482) not paid to USPTO but international search fee (37 CFR § 1.445(a)(2)) paid to USPTO | | \$ 770.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4) | | \$ 730.00 | |
| International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4) | | \$ 100.00 | |
| ENTER APPROPRIATE BASIC FEE AMOUNT = | | \$ 770 | |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)). | | \$ | |
| Claims | Number Filed | Number Extra | Rate |
| Total Claims | 154 - 20 = | 134 | X \$18.00 \$2412.00 |
| Independent Claims | 20 - 3 = | 17 | X \$86.00 \$1462.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | + \$290.00 | 0 |
| TOTAL OF ABOVE CALCULATIONS = | | \$ 4644.00 | |
| <input type="checkbox"/> Applicant claims Small Entity Status. See 37 CFR 1.27. The fees indicated above are reduced by ½. | | \$ | |
| SUBTOTAL = | | \$4644.00 | |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)). | | \$ | |
| TOTAL NATIONAL FEE = | | \$4644.00 | |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | | \$ | |
| TOTAL FEE ENCLOSED = | | \$4644.00 | |
| | | Amount to be: refunded | |
| | | \$ | |
| | | Charged | |
| a. <input checked="" type="checkbox"/> A check in the amount of <u>\$ 4644.00</u> for the filing fee is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. <u>05-1323</u> (Attorney Docket No. ==) in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees, which may be required, or credit any overpayment to Deposit Account No. <u>05-1523</u> . (ATTORNEY DOCKET NO. <u>100338.54030US</u>). A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038. | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | |
| SEND ALL CORRESPONDENCE TO: | | <i>Roc J. Lee</i> | |
| Samir Elamrani | | SIGNATURE | |
| Crowell & Moring, LLP | | Robin Teskin | |
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| Ref Initials: RLT/SE/ch | | DATE: September 14, 2004 | |